

REMARKS/ARGUMENTS

Claims 1-19 are pending in the application.
Claims 1-19 stand rejected.

Rejection Under 35 U.S.C. § 103

Claims 1-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over USPN 6,746,988 to Hopkinson (hereinafter “Hopkinson”).

The Examiner cites Hopkinson for teaching an agricultural composition comprising an agriculturally active compound and an anionic surfactant.

Applicants respectfully submit that the Examiner has failed to establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, *inter alia*, the Examiner must provide some rationale as to why the claimed invention would be obvious to a person of ordinary skill in the art. In the present case, Applicant respectfully asserts that the Examiner has provided only a conclusory statement that “Hopkinson et al. do suggest the composition of ingredients making the claims invention obvious.” Applicant submits the Examiner’s argument fails to establish why a person of ordinary skill in art in view of Hopkinson would select the particular components from lists of components to arrive at the presently claimed invention.

Further, Applicant notes Table 1 of present application which provides for examples showing the superior adherence of the formulation in accordance with the present invention. Table 1 shows that formulations A, B, and C, which have surfactant ratios outside the claim scope, have an average dust off of 20.2 g, whereas the examples within the claim scope show anywhere from 50 to 90% reduction in dust-off. Applicants respectfully submit that Hopkinson fails to teach or suggest such a surfactant ratio or the benefits of such a ratio as a seed treatment.

For the reasons set forth above, Applicants respectfully submit that the present response overcomes all outstanding objections and rejections. Applicants respectfully request allowance of all claims.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR §1.17 which may be required, or credit any overpayment, to Account No. 50-1676 in the name of Syngenta Crop Protection, Inc.

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Date: May 10, 2011